IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 7251 of 2006

PIYARA SINGH
V/S
A.D.J.,RAISINGH NAGAR & ANR.

Mr. BS SANDHU for Mr. HS SANDHU, for the appellant / petitioner

Mr. RS GILL, for the respondent

Date of Order : 30.7.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Perused the impugned order.

The learned trial court has declined the petitioner's application under O. 18 Rule 17 by observing that O. 18 Rule 17 does not authorise the litigant to fill up the lacunae, and therefore, has declined to recall the witnesses for further cross-examination. In my view, the order does not require any interference in my writ jurisdiction. The writ petition is, therefore, dismissed summarily. However, it will be open to the petitioner to assail the correctness, legality or propriety of the impugned order by setting forth appropriate ground in appeal, if necessity so arises, and if the petitioner so stands advised. The learned trial court is also directed to expeditiously decide the main suit.

(N P GUPTA),J.

/sushil/